IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 13603 of 1998

Between:

G.Ganesh, S/o. G.Chettiar,
R/o.6-2-371, Chintalabasti,
Hyderabad.

..... PETITIONER

AND

Secretary, Regional Transport Authority,
Hyderabad - Central.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, preferably one in the nature of Writ of Mandamus, declaring the action of the respondent in not permitting the petitioner herein to carry Gross Vehicle Weight of 25000 Kgs., in the Petitioner's Heavy Goods Vehicle, as illegal, arbitrary and contrary to law and consequently direct the respondent herein permit the petitioner to carry Gross Vehicle Weight of 25000 Kgs., in his Goods Vehicle bearing Registration No.AP.02/T.6799 by entering the same in the Registration Certificate of the said Vehicle forthwith.

Counsel for the Petitioner: MR.V.NARASIMHA REDDY

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

ORDER**:**

This writ petition is filed seeking a writ of Mandamus to declare the action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioner to carry Gross Vehicle weight of 25000 kgs in his Heavy Goods vehicles as illegal and arbitrary and consequently, to direct the respondents to permit the petitioner to carry the said weight in his goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the said judgment of the Apex Court, this writ petition is also dismissed for the same reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Secretary, Regional Transport Authority,

Hyderabad - Central.

2 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies